

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BENEFICIAL INNOVATIONS, INC.,

Plaintiff,

vs.

CAREERBUILDER, LLC., a Delaware corporation; CNET NETWORKS, INC., a Delaware corporation; THE DALLAS MORNING NEWS, INC., a Delaware corporation; DIGG, INC., a Delaware corporation; EBAUM'S WORLD, INC., a New York corporation; GOOGLE INC., a Delaware corporation; JABEZ NETWORKS, INC., a Tennessee corporation; MORRIS COMMUNICATIONS COMPANY, LLC, a Georgia limited liability company; THE NEW YORK TIMES COMPANY, a New York corporation; YAHOO! INC., a Delaware corporation; and YOUTUBE, LLC, a Delaware limited liability company,

Defendants.

CASE NO. 2:09-cv-175 (TJW)

**Jury Trial Demanded**

**MOTION FOR WITHDRAWAL OF COUNSEL**

Plaintiff Beneficial Innovations, Inc. respectfully requests that N. Claire Abernathy be permitted to withdraw as counsel of record for Beneficial Innovations, Inc. in this matter. The reason for this request is that Ms. Abernathy is no longer associated with the law firm Capshaw DeRieux, LLP. No other changes are requested at this time regarding the other attorneys acting as Beneficial Innovations, Inc.'s counsel of record.

Dated: July 20, 2009

Respectfully submitted,

By: /s/ Elizabeth L. DeRieux

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**ATTORNEYS FOR PLAINTIFF**

**BENEFICIAL INNOVATIONS,  
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**CERTIFICATE OF CONFERENCE**

I certify that pursuant to Local Rule CV-7(i) we did not confer with the pro se defendants and cannot tell the court if the defendants are opposed or unopposed to the motion.

/s/ Elizabeth L. DeRieux

**CERTIFICATE OF SERVICE**

I hereby certify that the all counsel of record who are deemed to have consented to electronic service are being served this 20th day of July, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Elizabeth L. DeRieux  
Elizabeth L. DeRieux